

SEP 23 2004

NO. 4861 P. 1/3

SEP. 23. 2004 10:40AM

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PATENT

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Jacob A. Walker September 23, 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

For Purpose only

Serial No: 09/971,902
Conf. No.: 4028
Filed: October 5, 2001
Applicants: Oeltgen et al.
Title: **METHOD FOR TREATING CYTOKINE
MEDIATED HEPATIC INJURY**
Art Unit: 1647
Examiner: Hamud
Attorney Docket: ZYM-09US

Cincinnati, Ohio

September 23, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS (37 C.F.R. § 1.191)**

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed March 24, 2004, finally rejecting claims 1-12.

The item(s) checked below are appropriate:

1. **Status of Applicant**

This application is on behalf of

☒ other than a small entity.
☐ a small entity.

2. **Fee for Filing Notice of Appeal**

-1-

3. Total Fee Due

The total fee due is:

Notice of Appeal fee \$330.00.
Extension fee (if any) \$_____.

Total Fee due \$330.00

4. Fee Payment

 Attached is a check in the sum of \$_____

 X The Commissioner is hereby authorized to charge the amount of \$330.00 for the appeal fee to Deposit Account No. 23-3000. A duplicate of this Notice is attached.

5. Fee Deficiency

 XX Charge any additional fee required or credit any overpayment to Deposit Account No. 23-3000. A duplicate of this Notice is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By Beverly A. Lyman

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